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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/397,325	09/16/1999	GENE W. ARANT		8607

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EXAMINER

PAULA, CESAR B

ART UNIT PAPER NUMBER

2178

DATE MAILED: 01/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/397,325	<b>Applicant(s)</b> ARANT, GENE W.	
	<b>Examiner</b> CESAR B. PAULA	<b>Art Unit</b> 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 17-23 and 32-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 17-23, and 32-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. This action is responsive to the amendment filed on 11/15/2005.

**This action is made Final.**

2. In the amendment, claims 32-34 have been added. Claims 17-23, and 32-34 are pending in the case. Claims 17, and 32-33 are independent claims.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 17-23 remain, and 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Durrani et al, hereinafter Durrani (Pat. # 6,011,542, 1/4/2000, filed on 2/13/1998), in view of Sun (Pat. # 5,646,821, 7/8/1997), and further in view of "Mavis Beacon Teaches Typing" manual, hereinafter Mavis, Software Toolworks, 1987, pp.1-4.

Regarding independent claim 17, Durrani discloses the selection of particular characters, such as "du", "dive", etc., by rotating a text wheel to select an individual character (col. 1, line

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52-col2, line 52, col.3, lines 24-67, fig.3, fig.6). In other words the characters, such as “du” are selected by individually inputting those characters to create a desired word or text—*output sequence*.

Moreover, Durrani discloses the selection at a location, such as a lower left hand corner (fig.3) —*transfer location*--, of the sequence of textual characters and display of these textual characters into a bordered section of the screen (col. 3, line 36-67, fig.3). In other words, all the characters are selected by the rotation of the text wheel, and highlighting the characters one after the other at the lower left hand location of the screen.

In addition, Durrani fails to explicitly disclose: *setting a dwell time for each of the successive information segments to pause in the transfer location*. However, Sun discloses a user changes the speed of a trackball, thereby changing the input data speed -- *setting a dwell time*—(col.3, lines 17-22). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the teachings of Durrani, and Sun, because Sun teaches above increasing the speed of the trackball. This provides the benefit of increasing the speed with which the wheel is rotated, and the characters are selected.

Moreover, Durrani discloses the selection, and moving, and displaying of the characters into the border section of the screen as the user selects the characters using a graphical wheel by highlighting the particular characters at the lower left hand location of the screen—as *the information segments occupy the transfer location, copying selected ones of them into the output sequence* (col. 3, line 36-67, fig.3). The characters are displayed in the screen as long as the user is entering the text .

Moreover, Durrani fails to explicitly disclose: *at the end of each dwell time interval, allowing the next succeeding information segment in the input sequence to enter the transfer location*. However, Sun discloses a user changes the speed of a trackball, thereby changing the input data speed -- *setting a dwell time*—(col.3, lines 17-22). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the teachings of Durrani, and Sun, because Sun teaches above increasing the speed of the trackball. This provides the benefit of increasing the speed with which the wheel is rotated, and the characters are selected at the transfer point.

Moreover, Durrani fails to explicitly disclose: *after such movement of the input series, from time to time manually controlling the apparatus to select a different dwell time*. However, Sun discloses a user changes the speed of a trackball, thereby changing the input data speed -- *setting a dwell time*—(col.3, lines 17-22). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the teachings of Durrani, and Sun, because Sun teaches above increasing the speed of the trackball. This provides the benefit of increasing the speed with which the wheel is rotated, and the characters are selected.

Furthermore, Durrani fails to explicitly teach *after the change in setting of the dwell time, again moving the input sequence into and through the transfer location*. However, Sun discloses a user changes the speed of a trackball, thereby changing the input data speed -- *setting a dwell time*—(col.3, lines 17-22). Mavis teaches allowing a user to repeat again the last typing lesson the user just finished--again moving the input sequence into and through the transfer location the characters of the typing lesson are being input into (page2, lines 44-47, page 3). It would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the

teachings of Durrani, Sun, and Mavis, because Sun teaches above increasing the speed of the trackball. This provides the benefit of increasing the speed with which the wheel is rotated, and the characters are selected, and because Mavis teaches above allowing a user to repeat a lesson previously typed into a computer screen, so as to provide a person acquiring typing skills the benefit of doing better at a second chance of typing the original or first lesson.

Regarding claim 18, which depends on claim 17, Durrani teaches the selection of any number of characters, such as "du", "dive", etc. The selection is made by rotating the text wheel, which is located at the lower left hand corner, and selecting the desired character by highlighting it, and then displaying the selected characters in a border (col. 3, lines 36-67, fig. 3, fig.6). In other words, as the wheel is rotated different characters come into view. Once the desired character comes into view at the lower left hand corner location--*transfer location*--, the user is able to make a selection of such character, and each character belonging to the number of characters to be input by the user, is highlighted and then transferred to a border, where all the selected characters are displayed .

Regarding claim 19, which depends on claim 17, Durrani teaches the selection of any number of characters, such as "du", "dive", etc. --*alphanumeric characters*-- and then displaying the selected characters in a border (col. 3, lines 36-67, fig. 3).

Claim 20 is directed towards a method equal to the method found in claim 19, and therefore is similarly rejected.

Regarding claim 21, which depends on claim 17, Durrani fails to explicitly teach *after the change in setting of the dwell time the input sequence is repetitively moved into and through the transfer location*. However, Mavis teaches allowing a user to repeat again the last typing lesson the user just finished--*again moving the input sequence into and through the transfer location* the characters of the typing lesson are being input into (page2, lines 44-47, page 3). It would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Durrani, Sun, and Mavis, because Mavis teaches above allowing a user to repeat a lesson previously typed into a computer screen, so as to provide a person acquiring typing skills the benefit of doing better at a second chance of typing the original or first lesson.

Claims 22-23, and 33 are directed towards a method equal to the method found in claims 18-19, and 21, and therefore are similarly rejected.

5. Claims 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Durrani, in view of Sun.

Regarding independent claim 32, Durrani discloses the selection of particular characters, such as “du”, “dive”, etc., by rotating a text wheel to a middle location on the screen, and to select individual characters displayed at a location, such as a lower left hand corner (fig.3) — *transfer location--*, of the sequence of textual characters and display of these textual characters into a bordered section of the screen after the user has rotated the wheel to the middle location

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and selecting the character the user deems correct (col. 1, line 52-col2, line 52, col.3, lines 24-67, fig.2-3, fig.6). In other words the characters displayed on the screen, such as “du” are selected, and as a result individually inputting, and transferring those characters into a graphical box to create a desired word or text— *electronically advancing a sequence of information elements at a controlled speed into a known transfer location while visibly displaying each of them there during a dwell time to permit the operator to decide whether to select it for manually directed copying into an output sequence:*

Furthermore, Durrani fails to explicitly disclose: *after a plurality of the elements have been thus displayed at the transfer location, manually adjusting the speed of the further advance of the information elements and hence the dwell time; after that adjustment, again advancing the sequence through the same transfer location so as to visibly display additional information elements during a thus-adjusted dwell time in order to make each of them available to be manually selected for copying.* However, Sun discloses a user changes the speed of a trackball, thereby changing the input data speed -- *manually adjusting the speed of the further advance of the information elements and hence the dwell time* —(col.3, lines 17-22). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the teachings of Durrani, and Sun, because Sun teaches above increasing the speed of the trackball. This provides the benefit of increasing the speed with which the wheel is rotated, and the characters are selected at the transfer point, thus saving time to input the desired characters.

Regarding independent claim 33, Durrani discloses the selection of particular characters, such as “du”, “dive”, etc., by rotating a text wheel to a middle location on the screen, and to



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select individual characters displayed at a location, such as a lower left hand corner (fig.3) — *transfer location--*, of the sequence of textual characters and display of these textual characters into a bordered section of the screen after the user has rotated the wheel to the middle location and selecting the character the user deems correct (col. 1, line 52-col2, line 52, col.3, lines 24-67, fig.2-3, fig.6). In other words the characters displayed on the screen, such as “du” are selected, and as a result individually inputting, and transferring those characters, by rotating the wheel in one character steps, into a graphical box to create a desired word or text— *electronically advancing a sequence of information elements at a controlled speed in an even step-wise fashion into a fixed transfer location while visibly displaying each of them there during a dwell time to permit the operator to decide whether to select it for manually directed copying into an output sequence.*

Furthermore, Durrani fails to explicitly disclose: *from time to time manually adjusting the speed of advance of the sequence of information elements and hence the dwell time for display of each information element.* However, Sun discloses a user changes the speed of a trackball, thereby changing the input data speed -- *from time to time manually adjusting the speed of the further advance of the information elements and hence the dwell time* —(col.3, lines 17-22). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the teachings of Durrani, and Sun, because Sun teaches above increasing the speed of the trackball. This provides the benefit of increasing the speed with which the wheel is rotated to the user's liking, and the characters are selected at the transfer point, thus saving time to input the desired characters.

***Response to Arguments***

6. Applicant's arguments filed 11/15/2005 have been fully considered but they are not persuasive. Applicant submits that Durrani's darkened portion is moved around the wheel to a character to be selected, while this invention the wheel is moved to a fixed transfer location (page 2, parag.3). The claims do not recite that the "data stream moves relative to a fixed location". Even if this was recited is not clear that this would overcome Durrani, because Durrani teaches using a fixed transfer location, and moving the wheel around it to select characters (fig.2-3).

Moreover, Applicant notes that Durrani's fails to teach or suggest data moving continuously in an even step-wise fashion (page 2, parag.4). The claims do not recite that this limitation. Even if this was recited is not clear that this would overcome Durrani.

Moreover, Applicant notes that Mavis teaches a method that does not create new information (page 3, parag.1). The Examiner disagrees, because Mavis teaches allowing a user to repeat again the last typing lesson the user just finished--again moving the input sequence into and through the transfer location the characters of the typing lesson are being input into (page2, lines 44-47, page 3). Therefore, the characters in the typing lesson are new information being created.

In addition, Applicant argues that Sun's teaching does not carryover the speed from one cursor movement to the next (page 3, parag.1). The Examiner disagrees, because Sun teaches

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increasing the speed of the trackball for selecting and inputting data (col.3, lines 19-22).

Therefore, the speed at which the characters are selected is also increased.

The Applicants are directed towards the rejection of newly added claims 32-34 above.

***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

I. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cooper et al. (Pat. # US 6810504 B2).

II. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is (571) 272-4128. The

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examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:00 p.m. (EST).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong, can be reached on (571) 272-4124. However, in such a case, please allow at least one business day.

Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, go to <http://portal.uspto.gov/external/portal/pair>. Should you have any questions about access to the Private PAIR system, please contact the Electronic Business Center (EBC) at 866 217-9197 (toll-free).

Any response to this Action should be mailed to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Or faxed to:

- (571)-273-8300 (for **all** Formal communications intended for entry)

  
**CESAR PAULA**  
**PRIMARY EXAMINER**  
1/20/06